

Ann Arbor Charter Township

3792 PONTIAC TRAIL
ANN ARBOR, MICHIGAN 48105-9656
734-663-3418
FAX 734-663-6678

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AUG - 6 2007.

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Public Record

Michael Moran, Supervisor
Rena Basch, Clerk
Virginia A Forshee, Treasurer

John Allison, Trustee
Richard Dieterle, Trustee
Della DiPietro, Trustee
Randolph Perry, Trustee

July 31, 2007

219944

Docket Number FD 35065

From Michael Moran, Township Supervisor
Ann Arbor Charter Township
3792 Pontiac Trail
Ann Arbor, MI 48105

To Secretary, Surface Transportation Board
Washington, DC 20423
202-245-0462



Ann Arbor Charter Township files this formal protest opposing the lease of prime and improved Michigan railroad track from Ypsilanti to Kalamazoo owned by the Class I Norfolk-Southern Railroad to WATCO Companies, a Class III railroad operator. Approval of this lease would seriously jeopardize the Wolverine and Blue Water Amtrak routes as well as threaten the long-projected Detroit to Chicago commuter line that passes through Ann Arbor.

Ann Arbor Charter Township recognizes the extensive investment of approximately \$38,000,000 that has been made by the State of Michigan, Amtrak and the Federal Railroad Administration in improving track and signaling to permit high speed rail passenger trains to travel 90 MPH currently and hopefully up to 110 by the end of this year. Moreover, Ann Arbor Charter Township and Washtenaw County using federal funds have very recently constructed a major bridge over the Huron River at an above-grade-level in order to permit the continued development of such a high-speed rail line from Detroit to Chicago. These funds would be wasted if the proposed lease is approved.

Moreover, Ann Arbor Charter Township is concerned that the record of Class III railroads of failing at track maintenance, the top speed for passenger rail would decline further instead of increasing. Such a decrease in speed may block development of the Midwest Regional Rail Initiative and the Ohio Hub, and seriously lower the efficiency of the Midwest's entire passenger rail system. WATCO Companies do not operate any of the 16 short lines at a speed of 79 MPH, and, I understand that they violated their contract with the State of Oklahoma regarding the requirement to maintain the track even to freight speeds of 30 MPH, necessitating Oklahoma to file a civil action for breach of contract.

Amtrak usage in Michigan is increasing and now is not the time to diminish the opportunities for fast passenger train service in Michigan. The recent significant run-up in gasoline prices further emphasizes the importance of providing safe passenger rail service.

Ann Arbor Charter Township is dedicated to fighting air global warming and air pollution, and eliminating the opportunity to transport passengers along this line further increases air pollution in this area. One train carrying 200 people between Detroit and Chicago saves 22 tons of CO2 as compared to 200 cars and 15 tons compared to two jet airliners carrying that many passengers.

Ann Arbor Charter Township believes it would be far better to enter into serious negotiations with the State of Michigan and Amtrak than to unilaterally decide to sell to a short line carrier that does not even have the economic wherewithal to maintain this prime piece of railroad track at even existing levels.

Regards,

A handwritten signature in black ink, appearing to read "Michael Moran", with a long horizontal flourish extending to the left.

Michael Moran
Township Supervisor

I, Michael Moran, declare under penalty of perjury that the foregoing is true and correct.
Further, I certify that I am qualified and authorized to file this pleading Executed on August 1,
2007

A handwritten signature in black ink, appearing to read "Michael Moran", written over a horizontal line.

Michael Moran
Ann Arbor Charter Township Supervisor

Ann Arbor Charter Township

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**From Michael Moran, Supervisor
Ann Arbor Charter Township
3792 Pontiac Trail
Ann Arbor, MI 48104**

**To Vernon Williams or To Whom It May Concern, Surface Transportation Board
Washington, D C 20423
202-245-0462**

RE. Certificate of Service

Please be aware that as part of the formal protest regarding FD 35065 the Washtenaw Area Transportation Study has provided letters of service to the following, sent on August 1, 2007

**Paul Moates
Sidley Austin LLP
1501 K Street, N W
Washington, DC 20005**

**Donald Smith
Sidley Austin LLP
1501 K Street, N W.
Washington, DC 20005**

**William Mullins
Baker & Miller PLLC
2401 Pennsylvania Ave, N W Suite 300
Washington, DC 20037**

**Hon Martin J. Griffin
Michigan House of Representatives
PO Box 30014
Lansing, MI 48909**

**Gordon P. Macdougall
1025 Connecticut Ave , NW Suite 919
Washington, DC 20036**

**Karl Morell
Ball Janick LLP
1455 F Street N W Suite 225
Washington, DC 20005**

**Honorable Carl Levin
United States Senate
269 Russell Senate Office Building
Washington, DC 20501**

**Honorable Pam Byrnes
Michigan House of Representatives
52nd District
P O Box 30014
Lansing, MI 48913**

**James Clift
Michigan Environmental Council
119 Pere Marquette, Suite 2A
Lansing, MI 48912**

**Harold A Ross
Bro'd of Locomotive Eng & Trainmen
1370 Ontario Street , Mezzanine
Cleveland, OH 44113**

Terri Blackmore
Washtenaw Area Trans Study
705 N Zeeb Road, 2d Floor
Ann Arbor, MI 48103

If you have questions please do not hesitate to contact the Township office at 734-663-7303

Sincerely,



Michael Moran
Supervisor